

## Comments on March 7, 2013 PC Agenda Items

The following comments on items on the March 7, 2013 Newport Beach Planning Commission agenda are submitted by: Jim Mosher ( [jimmosher@yahoo.com](mailto:jimmosher@yahoo.com) ), 2210 Private Road, Newport Beach 92660 (949-548-6229)

### ***Item No. 1 Minutes Of February 7, 2013***

The following minor corrections are suggested:

Page 2, last paragraph: “Bill ~~Shephoff~~ Shopoff, applicant, presented an update...”

Page 4, second paragraph from end: “...the process suffered from ~~adequate~~ inadequate vetting by EQAC ...”.

Page 5, third paragraph: “... one of the big issues of concerns ~~are~~ is the setback requirements.”

Page 6, fourth full paragraph: “Mr. Nilmeier explained that it will be a combination of hardscape from the curb to building ~~phase~~ with planters and tree pockets.” [The word “phase” may be a typo, but I’m not sure what word is intended. Perhaps “edge”? Or better, I think it could simply be omitted.]

Page 9, sixth paragraph: “... the Commission would be supportive of the project's effort to provide for a ~~trans~~ transfer of jurisdiction of the school.”

### ***Item No. 2 General Plan Annual Status Report Including Housing Element Report***

In two places on page 1, the staff report refers to “Government Code Section **65400(B)**.” I believe the intended reference is “Government Code Section **65400(a)(1)(B)**.”

**Program 1.1:** Under “Status,” statement 1 is phrased in such a way as to suggest that private developments inconsistent with the General Plan can be approved subsequent to a discretionary review. If true, that would violate Program 1.1.

**Program 1.2:** Shouldn’t the report mention here the several amendments to the General Plan made during 2012? And the hearings held to deal with nonconforming properties? Also Program 1.2 calls out certain specific items to be reviewed and updated “At least once every five years.” It is unclear that has been done.

**Program 9.1:** Council Policy D-3 calls for a review of the Policy Manual during the first quarter of each year. If the Manual has not been reviewed since September 2011, the City is clearly not meeting the goal of annual review.

**Program 12.1:** Was a Fiscal Impact Analysis done for Uptown Newport?

**Program 14.1:** “**Boarders** Committees” should read “**Borders** Committees” The disbanding of this committee does not seem to be consistent with the General Plan. Not mentioned here is the attempt in 2012 to develop a Liaison Committee with the Costa Mesa Sanitary District: its first meeting having been attended by Assistant City Manager Badum.

**Program 14.2:** It would seem the report should mention the school district discussions related to Uptown Newport.

**Program 14.4:** Shouldn't the report mention the 2012 activities with OCTA regarding the 19<sup>th</sup> Street bridge, and perhaps the 55 freeway extension?

**Program 14.6:** I do not believe the recent Irvine Terrace bluff development decision (Wardy residence) was consistent with the Coastal Commission's view of maintaining the “predominant line of development,” and hence indicates a lack of coordination. The Grand Canal access point should perhaps also have been mentioned.

**Program 14.8:** “... **an** non-governmental organizations ...” should read “... **and** non-governmental organizations ...”

**Program 14.10:** Shouldn't “San Joaquin Hills (SR-7) Toll Road” read “San Joaquin Hills (SR-73) Toll Road”? Also it might be noted that the 2012 Charter Amendment prohibiting automated traffic was crafted to exempt toll roads.

**Program 14.11:** Should the report mention the City's 2012 purchases of credits from other municipalities?

**Program 14.12:** Should the report mention the public meetings preceding the Corp's Santa Ana River Marsh/Semeniuk Slough project?

**Program 14.16:** Shouldn't the list include the Costa Mesa Sanitary District and the Orange County Sanitation District, both of which have significant presence in the City?

**Program 15.1:** Although no specifically mentioned in the implementation statement, this section is about annexations. Shouldn't the report mention the annexation of Emerson Island? And was a fiscal analysis prepared for that annexation?

**Program 16.3:** Should there be mention of the CdM “entryway” test here as well as under 20.1?

**Program 16.8:** “...a shuttle bus **services** for the Oasis Senior Center clients ” should read “...a shuttle bus **service** for the Oasis Senior Center clients ”

**Program 16.9:** “...Public **works** Department ...” should read “...Public **Works** Department ...”

**Program 17.1:** “This document prepared every five years (latest 2010) ...” should read “This document **is** prepared every five years (latest 2010) ...” In addition, this section should probably mention the Water Quality Committee.

**Program 20.1:** In the next to last bullet point under “Corona del Mar Entry,” the word “**successful**” seems inappropriate, and inconsistent with the conclusion, and at best is misleading (the test did not demonstrate that the tested design was “successful”). It should probably be deleted.

**Program 20.3:** Isn’t the San Miguel Street bridge intended, at least partially, as a public view site? Sunset Ridge, I believe, also includes a passive viewing area; and the Coastal Commission seems to see the “lighthouse” at Marina Park as a viewing opportunity.

**Program 23.1:** Shouldn’t these recommendations be reviewed by the Parks, Beaches and Recreation Commission?

**Program 23.3:** “... and periodically **initiate** community surveys ...” should read “... and periodically **initiates** community surveys ...”

**Program 23.4:** Why was PB&R *not* involved in many other recommendations, such as the Buck Gully trail mentioned in 23.2, or the bicycle plans in 16.11?

**Program 24.1:** What is “**EDC**”? Does it still exist?

**Program 25.1:** “All other programs are reviewed in attached Housing Element Progress Report ...” should read “All other programs are reviewed in **the** attached Housing Element Progress Report ...”

**Program 27.1:** “The City continuously implements Municipal Code ...” should read “The City continuously implements **the** Municipal Code ...”

**Program 29.2:** I believe the museum tours are self-funded through ticket sales. Also, in Item 5, “Continuously reviewed **review** artist’s applications...” should read “Continuously reviewed artist’s applications...”

**Program 29.3:** In what way has the City “**supported** the Banning Ranch Conservancy’s efforts to acquire the Banning Ranch property to preserve it as open space”? Would **endorsed** be a better word?

**Program 31.1:** “... the City’s **refuge** program” should read “... the City’s **refuse** program”

[I have not yet examined the Housing Element Report]